

Message Text

UNCLASSIFIED

PAGE 01 SINGAP 03939 091057Z

ACTION COME-00

INFO OCT-01 EA-12 ISO-00 DODE-00 EB-08 NSAE-00 USIA-15

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FM AMEMBASSY SINGAPORE

TO SECSTATE WASHDC 8515

UNCLAS SINGAPORE 3939

FOR COMMERCE/EXPORT CONTROL

E.O. 11652: N/A

TAGS: ETRD, VN, SN

SUBJECT: SALES TO VIETNAM

1. POST WOULD APPRECIATE OFFICIAL POLICY GUIDANCE ON SALES TO VIETNAM (SRV) BY WHOLLY-OWNED U.S. SUBSIDIARIES MANUFACTURING OVERSEAS WHO ARE ASKED BY SRV TO SELL THEIR PRODUCTS EITHER DIRECTLY OR VIA FOURTH COUNTRY INTERMEDIARY.

2. SPECIFIC CASE HERE IS INQUIRY BY SRV TO PURCHASE FORKLIFT TURCK SPARE PARTS FROM HYSTER COMPANY PLANT IN WESTERN EUROPE VIA SINGAPORE AGENT. HYSTER HAS FULLY-OWNED SUBSIDIARY IN EUROPE WHICH COULD PROVIDE REQUIRED SPARE PARTS, E.G. PERKINS ENGINES MADE IN U.K. AND HYSTER TRANSMISSIONS MADE IN U.S. SALE COULD BE EFFECTED THROUGH 100 PERCENT SINGAPOREAN AGENT COMPANY.

3. OFFICIAL GUIDANCE SEEMS CLEAR THAT U.S. ORIGIN PRODUCTS ARE PROHIBITED FROM SALE TO SRV AT PRESENT TIME EITHER DIRECTLY OR INDIRECTLY THROUGH FOURTH COUNTRY AGENT (I.E. SINGAPORE IN THIS CASE). POST BELIEVES THIS GUIDANCE APPLIES TO ACTIVITIES UNCLASSIFIED

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OF U.S. SUBSIDIARIES IN THIRD COUNTRIES AS WELL BUT CANNOT LOCATE ANY WRITTEN INSTRUCTION TO THAT EFFECT.

4. ACTION REQUESTED: WRITTEN INSTRUCTIONS TO FOLLOWING QUESTIONS ASAP:

A. IS SALE TO VIETNAM OF U.S. ORIGIN SPARE PARTS

BY U.S. SUBSIDIARY IN WESTERN EUROPE LEGAL?

B. IS SALE OF NON-U.S. ORIGIN SPARE PARTS BY
U.S. SUBSIDIARY IN WESTERN EUROPE LEGAL?

C. DOES FACT THAT SALE COULD BE MADE THROUGH
100 PERCENT SINGAPOREAN COMPANY MAKE ANY DIFFERENCE
TO REPLIES TO (A) AND (B) ABOVE?

D. IF ANY SALE ARE PERMITTED UNDER CERTAIN
CONDITIONS (SPECIFICALLY SPARE PARTS FOR
FORKLIFT TRUCKS), WHAT LICENSING PROCEDURES
ARE TO BE FOLLOWED, WHICH USG AGENCY REGULATES
THE TRANSACTION?
HOLDRIDGE

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NNN

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Disposition Event:
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